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Signature: \_\_\_\_\_ (Megha Aggarwal)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 456362633 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 14, 2006

Signature: \_\_\_\_\_

(Megha Aggarwal)

Docket No.: 578492001500  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Niel F. STARKSEN

Application No.: 10/656,797

Group Art Unit: 3734

Filed: September 4, 2003

Examiner: M. Andersen

For: DEVICES AND METHODS FOR CARDIAC  
ANNULUS STABILIZATION AND  
TREATMENT

**RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action mailed June 15, 2006, which set forth a Restriction/Election of Species Requirement for pending claims 1-60, and for which a response is due on July 15, 2006. Accordingly, this response is timely filed.

Restriction to one of the following inventions has been required:

- I. Claims 1-34, 58-60, drawn to various methods, classified in class 128, subclass 898.
- II. Claims 35-57, drawn to various devices, classified in class 606, subclass 139.

Additionally, the Examiner has indicated that an election of one of the following species is required should the method claims (Group I) be chosen:

<u>Species</u>	<u>Figures/Spec</u>
I	2-3
II	5
III	5A-8
IV	Abstract-radiofrequency energy
V	Abstract-drug delivery
VI	Abstract-shape memory stents

Applicant elects Group II without traverse. Because Applicant has elected Group II, no election of species is required.

Applicant expressly reserves his right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of

such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 578492001500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 14, 2006

Respectfully submitted,

By 

Mika Mayer

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